

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JARROD STRINGER, ET AL.,)
 Plaintiffs,)
)
vs.) CIVIL NO. 5:16-cv-00257
)
ROLANDO PABLOS, IN HIS)
OFFICIAL CAPACITY AS THE)
TEXAS SECRETARY OF STATE)
AND STEVEN C. MCCRAW, IN)
HIS OFFICIAL CAPACITY AS)
THE DIRECTOR OF THE TEXAS)
DEPARTMENT OF PUBLIC)
SAFETY,)
 Defendants.)

ORAL VIDEOTAPED DEPOSITION
JOHN WOODS
MAY 5, 2017

ORAL VIDEOTAPED DEPOSITION OF JOHN WOODS, produced
as a witness at the instance of the Defendants and duly
sworn, was taken in the above-styled and numbered cause
on the 5th day of May, 2017, from 10:26 a.m. to
12:54 p.m., before Dana Richardson, Certified Shorthand
Reporter in and for the State of Texas, reported by
computerized stenotype machine at the Office of Attorney
General Consumer Protection Division Houston Regional
Office, 808 Travis, Suite 1520, Houston, Texas
77002-1702, pursuant to the Federal Rules of Civil
Procedure and the provisions stated on the record or
attached hereto.

APPEARANCES

FOR PLAINTIFFS:

Ms. Beth Stevens
TEXAS CIVIL RIGHTS PROJECT
1405 Montopolis Drive
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- and -

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FOR DEFENDANTS:

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ATTORNEY GENERAL'S OFFICE
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Austin, Texas 78711-2548
Telephone: (512) 475-4074
Fax: (512) 320-0667
E-mail: anna.mackin@oag.texas.gov

ALSO PRESENT:

Ms. Myra Thetford, Videographer

EXHIBITS

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1 (Exhibit 1 marked)

2 THE VIDEOGRAPHER: This is the videotaped
3 deposition of John Woods taken on behalf of the
4 plaintiff -- I'm sorry, taken on behalf of the defendant
5 in the matter of Jarrod Stringer, et al., versus Rolando
6 Pablos, et al., Civil Action No. 5:16-cv-00257, for the
7 United States District Court, Western District of Texas,
8 San Antonio Division, held in the offices of the
9 Attorney General's Houston Regional Office at
10 808 Travis, Suite 1520, in Houston, Texas 77002.

11 The videographer's name is Myra Thetford.
12 The court reporter's name is Dana Richardson.

13 This is beginning of Tape No. 1. Today's
14 date is May 5th, 2017. We are on the record at
15 10:26 a.m.

16 Would counsel please introduce themselves
17 for the record.

18 MS. MACKIN: Anna Mackin with the Attorney
19 General's Office on behalf of all defendants.

20 MS. STEVENS: Beth Stevens from the Texas
21 Civil Rights Project on behalf of Plaintiff John Woods.

22 MS. SILHAN: Caitlyn Silhan from Waters &
23 Kraus on behalf of Plaintiff John Woods.

24 ***

25 ***

1 JOHN WOODS,
2 having been first duly sworn, testified as follows:

3 EXAMINATION

4 BY MS. MACKIN:

5 Q. Good morning, Mr. Woods.

6 A. Good morning.

7 Q. If you wouldn't mind please speaking and
8 spelling your name for the record.

9 A. Yes. It's John Woods. J-o-h-n. W-o-o-d-s.

10 Q. Thank you.

11 My name is Anna Mackin, and I am an
12 attorney with the Texas Attorney General's Office. I
13 represent the defendants in this case, the Secretary of
14 State of Texas, Rolando Pablos, and the director of the
15 Department of Public Safety, Steven McCraw.

16 I'm going to review some logistical
17 matters before we get started on the questions. Have
18 you ever been deposed before?

19 A. No.

20 Q. Okay. Have you ever testified in court before?

21 A. No.

22 Q. So just a couple of things to help the court
23 reporter get an accurate record of everything that's
24 being said here today. If you could try to give a
25 verbal answer to my questions as opposed to nodding or

1 **have you been a senior developer?**

2 A. Yes. Senior development engineer.

3 **Q. Sorry.**

4 **Before you were hired by Intuitive**
5 **Machines, what was your job?**

6 A. I was a postdoctoral fellow in aerospace
7 engineering at West Virginia University.

8 **Q. And before that?**

9 A. I was a graduate teaching assistant and
10 graduate research assistant at the University of Texas.

11 **Q. And is that when you were pursuing your Ph.D.?**

12 A. Yes.

13 **Q. Okay. Did you have any other job, professional**
14 **jobs, other than like, you know, jobs in high school or**
15 **jobs in college for spending money? Any other full-time**
16 **jobs, I guess, is my question?**

17 A. No.

18 **Q. Okay. And so you currently reside in Houston?**

19 A. Yes.

20 **Q. And --**

21 A. Excuse me. Back to any other full-time jobs.
22 Do you mean, like, summer jobs, too?

23 **Q. I mean -- you don't have to tell me, like,**
24 **every internship you've had.**

25 A. Okay. Yeah.

1 Q. I just mean, like, a full-time kind of
2 position.

3 A. Sure.

4 Q. So anything you've put on your resum□ that's --
5 I'm sorry, I'm actually trying to make this question
6 more clear and I feel like I'm making it less clear,
7 but -- but I think we're good.

8 So you currently reside in Houston. And
9 before that, were you in Austin?

10 A. Houston -- before Houston was Morgantown, West
11 Virginia.

12 Q. Okay.

13 A. And before that was Austin.

14 Q. Okay. And so you moved to Houston in 2015?

15 A. Yes.

16 Q. Okay. And what year did you move to
17 Morgantown?

18 A. It was early 2014.

19 Q. And then what year did you move to Austin?

20 A. 2007.

21 Q. And then before Austin, were you -- where did
22 you move to Austin from?

23 A. Blacksburg, Virginia.

24 Q. Okay. For your undergraduate?

25 A. Uh-huh.

1 Q. -- at the Virginia DMV?

2 A. Yes.

3 Q. Okay. Do you remember the next time that you
4 registered to vote? I know it's a long way back. So if
5 you can't remember, that's okay. I'm just seeing what
6 you remember.

7 A. Okay. So can you explain what you mean by
8 registering --

9 Q. Uh-huh.

10 A. -- versus changing registration address?

11 Q. I mean either one.

12 A. Okay. I think probably the next time I would
13 have changed it would be when I registered to vote in
14 Blacksburg.

15 Q. And then after that?

16 A. I may have changed it moving within Blacksburg,
17 but I probably forgot.

18 Q. Okay. And after that?

19 A. When I moved to Austin.

20 Q. So did you ever register in Morgantown?

21 A. No.

22 Q. Okay. Why not?

23 A. Well, I didn't really plan on staying in West
24 Virginia for that long; and I still had a house in
25 Austin and didn't really want to let go of that feeling

1 of being from Austin.

2 Q. A lot of people feel that way, judging by the
3 traffic.

4 And then so you would have -- you believed
5 you changed it a couple of times within Austin?

6 A. I did.

7 Q. And then to Houston in 2015?

8 A. Yes.

9 Q. Okay. When you moved from -- when you moved to
10 Blacksburg for -- for college, do you remember where --
11 you said that -- you already said the Virginia DMV when
12 you moved to Blacksburg, right?

13 MS. STEVENS: Objection, form.

14 Q. (BY MS. MACKIN) Sorry, I just don't remember
15 if you testified to that or not.

16 A. I don't know if I ever visited the Blacksburg
17 DMV, though. So I'm not exactly sure how I changed that
18 address.

19 Q. Okay. That's fine.

20 And then when you moved to Austin, do you
21 remember how you initially signed up to register when
22 you first moved?

23 A. I thought I did, but now I'm doubting that
24 recollection.

25 Q. I understand. I'll try to build that into my

1 when changing his address online at
2 www.txdps.state.tx.us.

3 That attempt to update voter registration
4 information, what is that referring to?

5 A. To update my voter address from Travis County
6 to Harris County.

7 Q. Okay. And the next paragraph, I just want to
8 go through this bit by bit to get a little bit more
9 information about the -- the facts in here.

10 A. Okay.

11 Q. So the first sentence: "Mr. Woods moved from
12 Travis County to Harris County in June 2015."

13 That's actually, though, referring to --
14 you physically moved from Morgantown, but you -- your
15 address registered on your driver license was from
16 Travis to Harris, even though your person was from West
17 Virginia to Harris; is that right?

18 A. Yes.

19 Q. Okay.

20 A. I mean, I spent a lot of time in Austin --

21 Q. Yeah. And I'm not --

22 A. -- even when I was in Morgantown.

23 Q. I'm not saying that you were, like, lying or
24 trying to trick anybody. I just want it to be clear in
25 the record because I was a little bit confused when I

1 elections, Texas, those types of keywords. And I knew
2 this -- I knew I had posted this. So I knew to look for
3 it.

4 **Q. All right. So let's start where it says:**
5 **"First, Travis County sends my absentee ballot to my**
6 **HOME," open paren, "Austin," close paren, "address**
7 **instead of where I'm temporarily living."**

8 **What do you mean by that?**

9 A. I still considered Austin to be home, even when
10 I was living in Morgantown.

11 **Q. So you had requested an absentee ballot be sent**
12 **to you in Morgantown, but you didn't receive one?**

13 MS. STEVENS: Object to the form.

14 **Q. (BY MS. MACKIN) Yeah, I'm just trying --**
15 **explain to me what you're talking about in this**
16 **sentence.**

17 A. I had requested a mail-in ballot.

18 **Q. Okay.**

19 A. And I had requested that it be mailed to my
20 Morgantown address at the time; but instead, they mailed
21 it to my Austin address. And I called them and asked
22 where it was because I realized it was missing a few
23 days before the election and they promised to overnight
24 me a new one that would get there in time for me to fill
25 it out and overnight it back, but they sent it regular

1 STATE OF TEXAS
2 COUNTY OF HARRIS

3 REPORTER'S CERTIFICATE

4 I, Dana Richardson, a Certified Shorthand Reporter
5 in and for the State of Texas, do certify that this
6 deposition transcript is a true record of the testimony
7 given by the witness named herein, after said witness
8 was duly sworn by me. The witness was requested to
9 review the deposition.

10 I further certify that I am neither attorney or
11 counsel for, related to, nor employed by any parties to
12 the action in which this testimony is taken and,
13 further, that I am not a relative or employee of any
14 counsel employed by the parties hereto or financially
15 interested in the action.

16 I further certify that the amount of time used by
17 each party at the deposition is as follows:

18 Ms. Anne Marie Mackin - 02:05
19 Ms. Beth Stevens - 00:00

20 SUBSCRIBED AND SWORN TO under my hand and seal of
21 office on this the 19th day of May, 2017

22 
23 _____

24 Dana Richardson, RPR, TX CSR
25 Integrity Legal Support Solutions
3100 W. Slaughter Lane, Suite A-101
Austin, Texas 78748
(512) 320-8690
(512) 320-8692 (fax)

EXHIBIT 2

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JARROD STRINGER, et al.,

Plaintiffs,

v.

ROLANDO PABLOS, IN HIS OFFICIAL
CAPACITY AS THE TEXAS SECRETARY
OF STATE and STEVEN C. McCRAW, IN
HIS OFFICIAL CAPACITY AS THE
DIRECTOR OF THE TEXAS
DEPARTMENT OF PUBLIC SAFETY,

Defendants.

§
§
§
§
§
§
§
§
§
§
§

C.A. 5:16-cv-00257-OLG

AFFIDAVIT OF JARROD STRINGER

STATE OF Texas


§
§
§

COUNTY OF Bexar

After being duly sworn, Jarrod Stringer did upon oath, say:

1. "My name is Jarrod Stringer. I am of sound mind, capable of making this affidavit, over the age of 18, and personally acquainted with the facts stated in it, which are true and correct.
2. I plan to continue transacting online with Department of Public Safety ("DPS") in the future whenever I am required to renew or change the address on my driver's license and am eligible to do so.
3. Although I do not plan to attempt to update my voter registration through an online transaction with DPS because Defendants will not allow me to update my voter registration through an online transaction with DPS, should Defendants decide or be compelled to allow online transactions with DPS to serve as voter registration applications, I will update my voter registration information in this manner.

4. I, Jarrod Stringer, under pains and penalties of perjury under the laws of the United States of America, swear I am capable of making this declaration and that the foregoing statement is true and correct to the best of my knowledge."


Jarrod Stringer
7-20-17
Date

SWORN TO and SUBSCRIBED before me on this the 20th day of July 2017, 2017, in witness whereof I put my signature and seal of office.


Notary Public, State of Texas

My commission expires 11-21-2017

Dated: July 20th, 2017

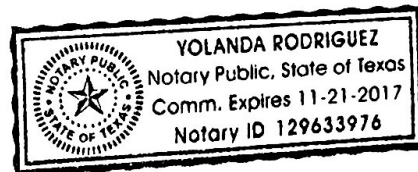


EXHIBIT 3

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JARROD STRINGER, et al.,	§	
Plaintiffs,	§	
	§	
v.	§	C.A. 5:16-cv-00257-OLG
	§	
ROLANDO PABLOS, IN HIS OFFICIAL	§	
CAPACITY AS THE TEXAS SECRETARY	§	
OF STATE and STEVEN C. McCRAW, IN	§	
HIS OFFICIAL CAPACITY AS THE	§	
DIRECTOR OF THE TEXAS	§	
DEPARTMENT OF PUBLIC SAFETY,	§	
Defendants.	§	

AFFIDAVIT OF BENJAMIN HERNANDEZ

STATE OF Texas	§
	§
COUNTY OF Dallas	§

After being duly sworn, Benjamin Hernandez did upon oath, say:

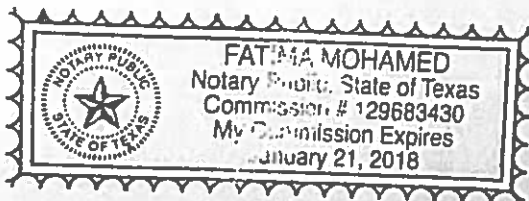
1. "My name is Benjamin Hernandez. I am of sound mind, capable of making this affidavit, over the age of 18, and personally acquainted with the facts stated in it, which are true and correct.
2. I plan to continue transacting online with Department of Public Safety ("DPS") in the future whenever I am required to renew or change the address on my driver's license and am eligible to do so.
3. Although I do not plan to attempt to update my voter registration through an online transaction with DPS because Defendants will not allow me to update my voter registration through an online transaction with DPS, should Defendants decide or be compelled to allow

online transactions with DPS to serve as voter registration applications, I will update my voter registration information in this manner.

4. I, Benjamin Hernandez, under pains and penalties of perjury under the laws of the United States of America, swear I am capable of making this declaration and that the foregoing statement is true and correct to the best of my knowledge."

Benjamin Hernandez
Benjamin Hernandez
July 17, 2017
Date

SWORN TO and SUBSCRIBED before me on this the 17TH day of July, 2017, in witness whereof I put my signature and seal of office.



Fatima Mohamed
Notary Public, State of Texas
My commission expires 01/21/2018

Dated: July 17, 2017



EXHIBIT 4

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JARROD STRINGER, et al.,	§	
Plaintiffs,	§	
	§	
v.	§	C.A. 5:16-cv-00257-OLG
	§	
ROLANDO PABLOS, IN HIS OFFICIAL	§	
CAPACITY AS THE TEXAS SECRETARY	§	
OF STATE and STEVEN C. McCRAW, IN	§	
HIS OFFICIAL CAPACITY AS THE	§	
DIRECTOR OF THE TEXAS	§	
DEPARTMENT OF PUBLIC SAFETY,	§	
Defendants.	§	

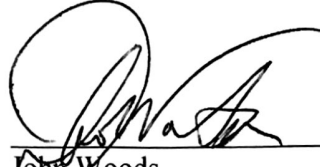
AFFIDAVIT OF JOHN WOODS

STATE OF Texas	§
	§
COUNTY OF Harris	§

After being duly sworn, John Woods did upon oath, say:

1. “My name is John Woods. I am of sound mind, capable of making this affidavit, over the age of 18, and personally acquainted with the facts stated in it, which are true and correct.
2. I plan to continue transacting online with Department of Public Safety (“DPS”) in the future whenever I am required to renew or change the address on my driver’s license and am eligible to do so.
3. Although I do not plan to attempt to update my voter registration through an online transaction with DPS because Defendants will not allow me to update my voter registration through an online transaction with DPS, should Defendants decide or be compelled to allow online transactions with DPS to serve as voter registration applications, I will update my voter registration information in this manner.

4. I, John Woods, under pains and penalties of perjury under the laws of the United States of America, swear I am capable of making this declaration and that the foregoing statement is true and correct to the best of my knowledge.”



John Woods
7/19/2017

Date

SWORN TO and SUBSCRIBED before me on this the 19 day of July, 2017, in witness whereof I put my signature and seal of office.



Notary Public, State of Texas

My commission expires 3-9-2019

Dated: July 19, 2017

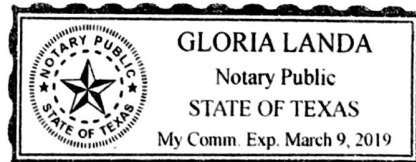


EXHIBIT 5

	2016 Original, renewal, duplicate and modification issuances for DLs and IDs	percentage	Average Daily (250 days per year)
Field:	5,448,223	77%	21,793
TOL Web:	1,448,941	21%	5,796
TOL IVR:	64,130	1%	257
Mail*:	85,231	1%	341
total	7,046,525		

*total DL-64's processed in 2016: 5,690

Voter Portal Election 2016 Cumulative Details - 10/20/2016 through 11/21/2016
(Includes Early Voting)

Grand Total Submitted	19,410
Total answered NO	6,452
Total answered YES	5,145
Total answered ONLINE	6365
Total answered UTLR (Unable to locate record)	1,117
Total answered IP-Both	53
Total answered IP-Neither	278
701 Inbox Emails Received	99
701 Inbox Documents provided	166

average daily update SOS file	16,290
average weekly update file (provided to 86 entities)	77,623

range for voter registration extract 4-6,000

EXHIBIT 6

STRINGER: SHERI GIPSON

Page 1

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JARROD STRINGER, ET AL., *

Plaintiffs, *

VS. *

* CIVIL ACTION

ROLANDO PABLOS, IN HIS *

* NO.: 5:16-cv-00257-OLG

OFFICIAL CAPACITY AS THE *

TEXAS SECRETARY OF STATE *

and STEVEN C. MCCRAW, IN *

HIS OFFICIAL CAPACITY AS *

THE DIRECTOR OF THE TEXAS *

DEPARTMENT OF PUBLIC *

SAFETY, *

Defendants. *

**CERTIFIED
TRANSCRIPT**

ORAL AND VIDEOTAPED DEPOSITION OF

SHERI GIPSON

DEPARTMENT OF PUBLIC SAFETY'S 30(b)(6)

MARCH 7TH, 2017

ORAL AND VIDEOTAPED DEPOSITION OF SHERI

GIPSON, produced as a witness at the instance of the

PLAINTIFFS, and duly sworn, was taken in the

above-styled and numbered cause on the 7th of March,

2017, from 9:36 a.m. to 6:15 p.m., before Tammy Staggs,

CSR in and for the State of Texas, reported by machine

shorthand, at the offices of Texas Attorney General's

Office, 300 West 15th Street, 11th Floor, Austin, Texas,

STRINGER: SHERI GIPSON

<p>Page 2</p> <p>1 pursuant to the Federal Rules of Civil Procedure and the</p> <p>2 provisions stated on the record or attached hereto.</p> <p>3 That the deposition shall be read and signed under</p> <p>4 penalties of perjury. That the deposition shall be read</p> <p>5 and signed before any notary public.</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>Page 3</p> <p>1 A P P E A R A N C E S</p> <p>2 FOR THE PLAINTIFF, JARROD STRINGER:</p> <p>3 Cassandra Champion, Esq.</p> <p>4 TEXAS CIVIL RIGHTS PROJECT</p> <p>5 1405 Montopolis Drive</p> <p>6 Austin, Texas 78741</p> <p>7 512.474.5073</p> <p>8 champion@texascivilrightsproject.org</p> <p>9</p> <p>10 FOR THE PLAINTIFF, JOHN FRITZ:</p> <p>11 Beth Stevens, Esq.</p> <p>12 TEXAS CIVIL RIGHTS PROJECT</p> <p>13 1405 Montopolis Drive</p> <p>14 Austin, Texas 78741</p> <p>15 512.474.5073</p> <p>16 stevens@texascivilrightsproject.org</p> <p>17</p> <p>18 FOR THE PLAINTIFF, BENJAMIN HERNANDEZ:</p> <p>19 Caitlyn Elizabeth Silhan, Esq.</p> <p>20 WATERS & KRAUS, L.L.P.</p> <p>21 3141 Hood Street</p> <p>22 Suite 700</p> <p>23 Dallas, Texas 75219</p> <p>24 214.357.6244</p> <p>25 csilhan@waterskraus.com</p> <p>FOR THE DEFENDANTS:</p> <p>Anna M. Mackin, Esq.</p> <p>Esteban Soto, Esq.</p> <p>ATTORNEY GENERAL'S OFFICE</p> <p>300 West 15th Street</p> <p>Floor 11</p> <p>Austin, Texas 78711</p> <p>512.463.2120</p> <p>anna.mackin@oag.texas.gov</p> <p>esteban.soto@oag.texas.gov</p> <p>Kathleen T. Murphy, Esq.</p> <p>TEXAS DEPARTMENT OF PUBLIC SAFETY</p> <p>5805 North Lamar</p> <p>Austin, Texas 78752</p> <p>512.424.2890</p> <p>Kathleen.murphy@dps.texas.gov</p>
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STRINGER: SHERI GIPSON

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<p style="text-align: right;">Page 10</p> <p style="text-align: center;">P R O C E E D I N G S</p> <p>THE VIDEOGRAPHER: Today is Tuesday March 7th, 2017. It is approximately 9:36 a.m. I am -- we are at the Texas Attorney's General Office at 300 West 15th Street, Austin, Texas 78701.</p> <p>My name is Justin Talbot, video specialist of Legal Eyes, Incorporated out of Aubrey, Texas. This case, Cause No. 5:16-CV-00257-OLG entitled Jarrod Stringer, et al. vs. Rolando B. Pablos, et al. And this is Volume 2 of the deposition of Sheri Gipson. Video -- this video deposition was requested by the Plaintiffs' counsel at Waters Kraus & Paul.</p> <p>Will counsel and all present please identify yourselves for the record.</p> <p>MS. CHAMPION: Cassandra Champion with the Texas Civil Rights Project appearing on behalf of Plaintiff Jarrod Stringer.</p> <p>MS. SILHAN: Caitlyn Silhan on behalf of the Plaintiffs from Waters & Kraus, appearing on behalf of Benjamin Hernandez.</p> <p>MS. STEVENS: Beth Stevens from the Texas Civil Rights Project appearing on behalf of John Fritz.</p> <p>MR. SOTO: Esteban Soto with the Attorney General's Office on behalf of Defendants.</p> <p>MS. MURPHY: Kathleen Murphy, Texas</p>	<p style="text-align: right;">Page 11</p> <p>Department of Public Safety's Office of General Counsel.</p> <p>MS. MACKIN: Anna Mackin, Texas Office of Attorney General, on behalf of the Defendants.</p> <p>I would also like to ask a question on the record. Are we in Volume 2 of Sheri Gipson's deposition or are we in the 30(b)(6) deposition of the Department of Public Safety?</p> <p>MS. CHAMPION: 30(b)(6) of the Department of Public Safety.</p> <p>MS. MACKIN: Okay. That's what I thought.</p> <p>THE VIDEOGRAPHER: I'm sorry.</p> <p>MS. MACKIN: That's okay.</p> <p>THE VIDEOGRAPHER: I had the wrong information.</p> <p>MS. MACKIN: That's okay. I just wanted to make it clear on the record.</p> <p>MS. CHAMPION: Thank you.</p> <p>SHERI GIPSON,</p> <p>Having been first duly sworn, testified as follows:</p> <p style="text-align: center;">EXAMINATION</p> <p>BY MS. CHAMPION:</p> <p>Q. Thank you.</p> <p>Would you please state and spell your full name for the record?</p>
<p style="text-align: right;">Page 12</p> <p>A. Sheri Gipson, S-H-E-R-I, G-I-P-S-O-N.</p> <p>Q. Thank you.</p> <p>I know you have been deposed before in this case in your individual capacity, but I would just like to review the rules of depositions with you, if that's okay.</p> <p>A. Okay.</p> <p>Q. Remember, one of the most important things is that only one of us talk at a time. I will try to let you completely finish answering a question before asking a new one. And if you'll let me completely finish the question, that really helps the court reporter. Is that okay?</p> <p>A. Yes.</p> <p>Q. And remember to give verbal answers, "yes" and "no" rather than "uh-huh" and "uh-uh."</p> <p>If you don't understand a question, please let me know; otherwise, if you don't tell me that you haven't understood something, I will assume that you have understood and that the answer you gave was the answer you intended to give. Does that all make sense?</p> <p>A. Yes.</p> <p>Q. Okay. Do you understand that you're under oath here today?</p> <p>A. Yes.</p>	<p style="text-align: right;">Page 13</p> <p>Q. And are you aware how this deposition is slightly different from the one you gave in your individual capacity?</p> <p>A. Yes.</p> <p>Q. So you are here today as a representative of the Department of Public Safety; is that correct?</p> <p>A. Correct.</p> <p>Q. And you've been authorized by the depublc of partment -- Department of Public Safety to appear on their behalf and give testimony for the Department today; is that right?</p> <p>A. Correct.</p> <p>Q. Do you understand that the Department of Public Safety, or DPS, is bound by the testimony that you give as a representative in this matter?</p> <p>A. Yes.</p> <p>Q. And do you understand that, unless I say otherwise, I'm not asking for your personal opinions; but instead, I'm asking for the answer that reflects the position of DPS and their subjective beliefs and opinions.</p> <p>A. Correct.</p> <p>Q. Is that clear?</p> <p>Have you ever testified as a DPS representative before?</p>

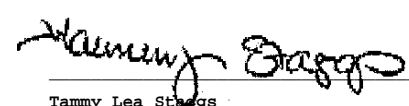
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<p style="text-align: right;">Page 138</p> <p>1 that's not part of the information that's provided to us</p> <p>2 from the online transaction.</p> <p>3 Q. Yeah, why is that not provided for an online</p> <p>4 transaction?</p> <p>5 A. Because that is not -- the voter registration</p> <p>6 question is not a detail that's provided back to the</p> <p>7 department from the online transaction.</p> <p>8 Q. Why?</p> <p>9 A. Because it's not part of the process. When</p> <p>10 they select yes, that provides them the link and they go</p> <p>11 to their link to the Secretary of State where they can</p> <p>12 download, sign, and complete the application.</p> <p>13 Q. I understand it's -- it's not part of the</p> <p>14 process, but why, according to DPS, do they not complete</p> <p>15 that for the online transaction?</p> <p>16 MS. MACKIN: Objection, form.</p> <p>17 You can answer.</p> <p>18 A. I'm not sure what else I can say other than</p> <p>19 that's not part of the approved plan and process for the</p> <p>20 voter registration question for the online process. The</p> <p>21 information is not contained in DLS, so therefore we're</p> <p>22 unable to provide it. If their last transaction was an</p> <p>23 online, there -- there's no information that's provided</p> <p>24 back to DLS regarding voter registration so there's no</p> <p>25 way we could provide that through the portal.</p>	<p style="text-align: right;">Page 139</p> <p>1 Q. (BY MS. CHAMPION) If no document is available</p> <p>2 for a Web -- for an online driver license renewal, how</p> <p>3 do they know that it was found online?</p> <p>4 A. There's a transaction history within the</p> <p>5 driver license system that indicates each transaction</p> <p>6 and what the method of that transaction was. And it</p> <p>7 indicates that it was a TOL Web or TOL IVR. And because</p> <p>8 that's a completely electronic process, there is no</p> <p>9 document related to that.</p> <p>10 So when you go into the driver license</p> <p>11 office, you complete a form, you sign it, and that's</p> <p>12 scanned in so we have a document. But for the online,</p> <p>13 it's completely automated. There is no document that is</p> <p>14 submitted by the customer.</p> <p>15 Q. If you look back to Exhibit 8, it's different</p> <p>16 than Exhibit 3K in that the last section on Exhibit 8</p> <p>17 says, (as read): Exception for Williamson County voter</p> <p>18 inquiries.</p> <p>19 Why is there an exception for Williamson</p> <p>20 County?</p> <p>21 A. That would -- would have been an agreement</p> <p>22 because Williamson County had requested the actual</p> <p>23 documents instead of just using the Web portal. And so</p> <p>24 they used the 701-inbox to request the document.</p> <p>25 Q. And now every county can request the actual</p>
<p style="text-align: right;">Page 140</p> <p>1 document using that e-mail inbox?</p> <p>2 A. If -- if they require the actual document,</p> <p>3 yes.</p> <p>4 Q. Do many counties, other than Williamson, now</p> <p>5 use the actual document?</p> <p>6 A. I don't have the actual county information.</p> <p>7 The number of individuals that use that is relatively</p> <p>8 low. There were -- in the 2016 election process -- and</p> <p>9 I'm looking at the stat sheet that I gave you at the</p> <p>10 end -- there was 99 requests for documents that came</p> <p>11 into that e-mail box.</p> <p>12 Q. Okay. Let's look at -- when you said what you</p> <p>13 gave me earlier, that's Exhibit 3Y, correct?</p> <p>14 A. Uh-huh, yes.</p> <p>15 Q. Let's look at that now. What statistic did</p> <p>16 you just point out?</p> <p>17 A. The 701 e-mail inbox, e-mails received.</p> <p>18 Q. Uh-huh.</p> <p>19 A. That's the ones where they requested specific</p> <p>20 documents.</p> <p>21 Q. Okay.</p> <p>22 A. And then the documents provided -- so of those</p> <p>23 inquiries, they provided a total of 166 documents.</p> <p>24 Q. Okay. Is this document just for the year of</p> <p>25 2016?</p>	<p style="text-align: right;">Page 141</p> <p>1 A. This is just for that time period that's noted</p> <p>2 above the 10/20/2016 through 11/21/2016.</p> <p>3 Q. Can you just walk me through some of these</p> <p>4 fields? What is -- what is the field with over 5</p> <p>5 million? What does that mean?</p> <p>6 A. Okay. Up at the very top?</p> <p>7 Q. Uh-huh.</p> <p>8 A. So this is based off the 2016 original renewal</p> <p>9 duplicate modification issuances for DL and ID. So in</p> <p>10 2016 we issued -- there were five hun- -- 5,448,223</p> <p>11 transactions completed in the driver license offices.</p> <p>12 In the -- on TOL Web there was 1,448,941. TOL/IVR,</p> <p>13 there was 64,130. Through the mail, there was 85,231.</p> <p>14 For a total of 7,046,525 transactions for the -- 2016.</p> <p>15 Q. In the chart underneath that, does that</p> <p>16 reflect how many inquiries were researched through the</p> <p>17 Web portal?</p> <p>18 A. Correct. The middle portion where it says</p> <p>19 voter porter election -- voter portal election 2016</p> <p>20 cumulative details, that is the portal inquiries that</p> <p>21 they processed during that time period of October 20th</p> <p>22 through November 21st of 2016.</p> <p>23 Q. Okay. So that's about a month's time,</p> <p>24 correct?</p> <p>25 A. Correct.</p>

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<p style="text-align: right;">Page 202</p> <p>1 A. Uh-huh.</p> <p>2 Q. Okay.</p> <p>3 A. Yes. I'm sorry.</p> <p>4 Q. Thank you.</p> <p>5 You -- you indicated that the decision</p> <p>6 was made to modify the in-office -- the way the</p> <p>7 in-office process would work for the voter registration</p> <p>8 question, and that the decision was made not to modify</p> <p>9 the online version of that. Is that --</p> <p>10 A. Correct.</p> <p>11 Q. Okay. Can you tell me why -- or please tell</p> <p>12 me why the decision was made not to modify the online</p> <p>13 transaction.</p> <p>14 A. The decision was made based on discussions</p> <p>15 that were -- that occurred. I was not provided any</p> <p>16 documentations that outlined those discussions. But the</p> <p>17 creation of the new file was conversations that were</p> <p>18 held with Secretary of State and what would be included</p> <p>19 in that file.</p> <p>20 Q. You say creation of new file. You're talking</p> <p>21 about the voter registration daily file --</p> <p>22 A. Extract, correct.</p> <p>23 Q. Sitting here today, as the representative of</p> <p>24 DPS for 30(b)(6) on -- on the policy and procedures</p> <p>25 surrounding this issue, can you tell me why the decision</p>	<p style="text-align: right;">Page 203</p> <p>1 was made not to modify the -- the online voter</p> <p>2 registration part?</p> <p>3 A. It is -- it is my understanding that the</p> <p>4 decision was made based on requirements for voter</p> <p>5 registration, and the requirements required -- it makes</p> <p>6 it sound funny -- the requirements of having a signature</p> <p>7 at the time of application.</p> <p>8 Q. So -- so drilling down from that, you said</p> <p>9 based on the requirements for voter registration. And</p> <p>10 particularly, you're saying based on the requirement for</p> <p>11 a signature for the voter --</p> <p>12 A. Right.</p> <p>13 Q. -- registration; is that --</p> <p>14 A. Right. The -- the information provided is</p> <p>15 that Texas statute does not allow for online voter --</p> <p>16 voter registration. It requires a signature with the</p> <p>17 application. And for the online process, we are not</p> <p>18 collecting a new signature as part of that process.</p> <p>19 Q. I want to see if I can under- -- understand</p> <p>20 this fully. So the -- the signature that is sent for an</p> <p>21 in-person transaction where someone answers "yes" to the</p> <p>22 voter registration question and -- and similarly when</p> <p>23 someone changes their address -- excuse me -- address</p> <p>24 via the mail, the signature that's sent for both of</p> <p>25 those voter registration applications, that's the</p>
<p style="text-align: right;">Page 204</p> <p>1 electronic signature; is that right?</p> <p>2 A. That is correct.</p> <p>3 Q. And that's sent to the Secretary of State?</p> <p>4 A. That is correct.</p> <p>5 Q. Okay. The ink signature is never sent to the</p> <p>6 Secretary of State, correct?</p> <p>7 A. That is correct.</p> <p>8 Q. Okay. If you'll look over the Use Case there</p> <p>9 you have in front of you, staying on the same exhibit,</p> <p>10 would you confirm for me that the information regarding</p> <p>11 the -- well, let me rephrase that. The information</p> <p>12 that's provided by a customer in an online transaction</p> <p>13 with DPS -- you'll agree with me that there's</p> <p>14 information provided by the customer in those</p> <p>15 transactions?</p> <p>16 A. Correct.</p> <p>17 Q. Okay. The -- looking through the use space,</p> <p>18 is the only information that's provided by the customer</p> <p>19 that's not transferred from Texas.gov to DLS the answer</p> <p>20 to the voter registration question?</p> <p>21 A. That's correct.</p> <p>22 Q. Turn to me -- turn with me -- excuse me -- to</p> <p>23 page 9 where it talks about business rules.</p> <p>24 A. Okay.</p> <p>25 Q. Do you see that?</p>	<p style="text-align: right;">Page 205</p> <p>1 A. Yes.</p> <p>2 Q. Okay. Under the Business Rule 1.1.10 heading,</p> <p>3 there's Selective Service and DRP, is that right, as</p> <p>4 kind of subheadings under there?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. I want -- I just want to make sure I</p> <p>7 understand the Use Case correctly. Under Selective</p> <p>8 Service if -- if -- if the field is marked "yes" for</p> <p>9 selective service, then certain information is sent by</p> <p>10 DLS to some other entity; is that right?</p> <p>11 A. Correct.</p> <p>12 Q. Okay. And who -- who -- to whom is that</p> <p>13 information sent?</p> <p>14 A. So the -- the system creates a file that is</p> <p>15 sent to Selective Service that includes any males that</p> <p>16 fall within the age range of registration. So prior to,</p> <p>17 when Selective Service first began, the person -- the</p> <p>18 customer could elect whether or not that was sent.</p> <p>19 Under current statute, we send any male that meets the</p> <p>20 criteria to the Selective Service.</p> <p>21 Q. Okay. And that -- that -- this is -- the DL</p> <p>22 is programmed to do this once a person is determined to</p> <p>23 meet the requirements for Selective Service, DLS</p> <p>24 automatically sends that information in -- in an update</p> <p>25 file to Selective Service?</p>

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<p style="text-align: right;">Page 238</p> <p>1 That pursuant to information given to the</p> <p>2 deposition officer at the time said testimony was taken,</p> <p>3 the following includes counsel for all parties of</p> <p>4 record:</p> <p>5 FOR THE PLAINTIFF, JARROD STRINGER:</p> <p>6 Cassandra Champion, Esq.</p> <p>7</p> <p>8 FOR THE PLAINTIFF, JOHN FRITZ:</p> <p>9 Beth Stevens, Esq.</p> <p>10</p> <p>11 FOR THE PLAINTIFF, BENJAMIN</p> <p>12 HERNANDEZ:</p> <p>13 Caitlyn Elizabeth Silhan, Esq.</p> <p>14</p> <p>15 FOR THE DEFENDANTS:</p> <p>16 Anna M. Mackin, Esq.</p> <p>17 Esteban Soto, Esq.</p> <p>18 Kathleen T. Murphy, Esq.</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23 That \$_____ is the deposition officer's</p> <p>24 charges to the Plaintiffs for preparing the original</p> <p>25 deposition transcript and any copies of exhibits;</p> <p style="text-align: right;">Page 240</p> <p>1 COUNTY OF _____)</p> <p>2 STATE OF TEXAS)</p> <p>3 I hereby certify that the witness was notified</p> <p>4 on _____ that the witness has 30 days</p> <p>5 or (____ days per agreement of counsel) after being</p> <p>6 notified by the officer that the transcript is available</p> <p>7 for review by the witness and if there are changes in</p> <p>8 the form or substance to be made, then the witness shall</p> <p>9 sign a statement reciting such changes and the reasons</p> <p>10 given by the witness for making them;</p> <p>11 That the witness' signature was/was not</p> <p>12 returned as of _____, 20____.</p> <p>13 Subscribed and sworn to on this, the ____ day</p> <p>14 of _____, 20____.</p> <p>15</p> <p>16</p> <p>17 _____</p> <p>18 Tammy Lea Staggs</p> <p>19 CSR 7496</p> <p>20 Expiration Date: 12/31/2017</p> <p>21 Firm No. Dallas: 69</p> <p>22 1.888.656.DEPO</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 239</p> <p>1 I further certify that I am neither counsel</p> <p>2 for, related to, nor employed by any of the parties or</p> <p>3 attorneys in the action in which this proceeding was</p> <p>4 taken, and further that I am not financially or</p> <p>5 otherwise interested in the outcome of the action.</p> <p>6 Certified to by me this ____ day of</p> <p>7 _____, 20____.</p> <p>8</p> <p>9 </p> <p>10 _____</p> <p>11 Tammy Lea Staggs</p> <p>12 CSR 7496</p> <p>13 Expiration Date: 12/31/2017</p> <p>14 Firm No. Dallas: 69</p> <p>15 1.888.656.DEPO</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
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